



County of San Bernardino Land Use Services Department

WATER-EFFICIENT LANDSCAPE ORDINANCE

December 2009

Overview	<p>The Water Conservation in Landscaping Act of 2006 (AB 1881) established requirements that counties and cities adopt landscape water conservation ordinances by January 1, 2010. The Department of Water Resources has prepared and released a “model” ordinance and local jurisdictions are required to adopt ordinances that are at least as effective as the “model.” Scheduled for January 2009 release, the model ordinance was actually released on September 10, 2009. The County of San Bernardino intends to implement the model ordinance pending development of an ordinance that can be fully integrated into the County Development Code.</p>
Purpose	<p>The purpose of the water efficient landscape ordinance is to establish and incorporate minimum water-efficiency standards into landscape design on new projects and to reduce water waste in existing landscaping. It establishes a water “budget” based on landscape area and climate.</p>
Process	<p>A summary of the process for application and review of water-efficient landscaping is attached as Exhibit A.</p>
Ordinance Adoption and Compliance	<p>AB 1881 included provisions for a model ordinance to be made available by January 2009, which would allow local jurisdictions a year to implement. As might be anticipated, the review and approval process for the model ordinance was protracted, with several rounds of review, comment and revision. In order to ensure that our ordinance would be compliant with the final provisions, San Bernardino County decided to wait for release of the final model ordinance before beginning work on the required modification to our Development Code. The model ordinance was released on September 10, 2009, less than 90 days prior to the January 1, 2010 implementation deadline.</p> <p>Given these circumstances, we will implement the State’s model ordinance, effective January 1, 2010. No later than January 2011 (deadline by which local jurisdictions must report their compliance), we will seek to implement an ordinance that reflects regional differences within the County and aligns with those being considered by the cities.</p>

EXHIBIT A:

PROCESS FOR APPLICATION AND REVIEW OF LANDSCAPE PLANS

Applies to:

- New construction, rehabilitated landscapes for public and private commercial, industrial or institutional projects with landscape area equal to or greater than 2500 square feet that require a building or landscape permit, plan check or design review;
- New construction and rehabilitated landscapes which are developer-installed in single family and multi-family residential projects with landscape area equal to or greater than 2500 square feet;
- New construction landscapes which are homeowner-provided and/or homeowner-hired in single family and multi-family residential projects with total project landscape area equal or greater than 5000 square feet requiring a building or landscape permit, plan check or design review.

Exceptions include:

- Undisturbed portions of development projects;
- Registered local, state or federal historical sites;
- Ecological restoration projects that do not require a permanent irrigation system;
- Mined-land reclamation projects that do not require a permanent irrigation system;
- Plant collections, as part of botanical gardens and arboretums open to the public.

Application Process:

1	Agency provides applicant with Landscape Documentation Package, which includes: <ul style="list-style-type: none">• Project Information• Water Efficient Landscape Worksheet (includes hydrozone information table and water budget calculation)• Soil Management Report• Landscape Design Plan• Irrigation Design Plan• Grading Design Plan
2	Applicant completes and submits Landscape Documentation Package to Agency
3	Agency reviews Landscape Documentation Package
4	Agency approves or denies Package and, upon approval, issues the permit, approves the plan or approves the design review.
5	Applicant records the permit/approval date on the Certificate of Completion which includes: <ul style="list-style-type: none">• Project information• Certification by signer of landscape design plan, irrigation design plan or licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package• Irrigation scheduling parameters• Landscape and irrigation maintenance schedule• Irrigation audit report• Soil analysis report and verification of implementation of soil report recommendations.
6	Applicant submits a copy of the approved Package, along with record drawings and other information to property owner and submits a copy of the Worksheet to the local water purveyor.
7	Agency submits a copy of the Worksheet to the local water purveyor
8	Applicant submits Certificate of Completion to Agency for approval